

RECEIVED  
CENTRAL FAX CENTER

OCT 06 2008

**ADLER & ASSOCIATES**P.O. BOX 710509  
HOUSTON, TEXAS 77271-0509WRITER'S DIRECT DIAL  
(713)-270-5391  
WRITER'S DIRECT FACS.  
(713)-270-5361  
E. MAIL: Ben@adlerandassociates.comINTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)

**Application Number:** 10/806,905  
**Filing Date.:** March 23, 2004  
**First Named Inventor:** David Scheinberg  
**Title:** Methods of Protection From Toxicity of Alpha  
Emitting Elements During Radioimmunotherapy  
**Group Art Unit:** 1642  
**Examiner Name:** Brandon J. Fetterolf  
**Attorney Docket No.:** D6499

**MAIL STOP RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this Request for Continued Examination, Petition for Extension of Time and Form PTO-2038 is being transmitted via facsimile to Examiner Brandon J. Fetterolf at 571-273-8300 on the date indicated below:

Date:

Oct 6, 2008  
Benjamin Aaron Adler, Ph.D., J.D.**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114:
  - a. ☒ Previously submitted
    - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 22, 2008.
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
    - iii. ☐ Other \_\_\_\_\_

10/07/2008 PCHOMP 00000018 10006905  
01 FC:2801

405.00 OP

RECEIVED  
CENTRAL FAX CENTER

OCT 06 2008

b.    Enclosed.

- i.    Amendment/Reply:
- ii.    Affidavit(s)/Declarations: Copy of Declaration under 37 C.F.R. §1.32.
- iii.    Information Disclosure Statement (IDS)
- iv.   X   Other: Petition for Extension of Time from one month to three months

## 2. Miscellaneous:

- a.    Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of   ( )   months.

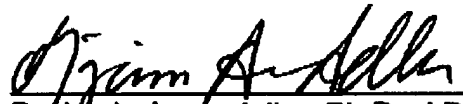
- b.    Other: \_\_\_\_\_

## 3. Fees:

- a.   X   Payment by credit card (Form PTO-2038 enclosed).
  - i.   X   RCE fee (\$405) required under 37 C.F.R. § 1.17(e)
  - ii.   X   Extension of Time Fee from one month to three months (\$495)
- b.   X   **ONLY IN THE ABSENCE OF FORM PTO-2038**, the Director is hereby authorized to debit the following fees from Deposit Account No. 07-1185
  - i.   X   RCE fee (\$405) required under 37 C.F.R. § 1.17(e)
  - ii.   X   Extension of Time Fee from one month to three months (\$555).
  - iii.    Other \_\_\_\_\_

DATE: Oct 6, 2008

ADLER & ASSOCIATES  
8011 Candle Lane  
Houston TX 77071  
Tel: (713) 270-5391  
Fax: (713) 270-5391  
Ben@adlerandassociates.com

  
Benjamin Aaron Adler, Ph.D., J.D.  
Counsel for Applicant  
Registration No. 35,423